

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 UNITED STATES OF AMERICA,) CASE NO. CR12-183-JLR
10)
11 Plaintiff,)
12)
13 v.)
14 RICARDO MARTINEZ-PEREZ,)
15)
16 Defendant.)
17)
18)
19)
20)
21

22 Offense charged: Felon in Possession of a Firearm (three counts)

23 Date of Detention Hearing: July 13, 2012.

24 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
25 based upon the factual findings and statement of reasons for detention hereafter set forth, finds
26 that no condition or combination of conditions which defendant can meet will reasonably
27 assure the appearance of defendant as required and the safety of other persons and the
28 community.

29 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

30 1. Defendant's criminal record includes multiple failures to appear for court

01 hearings with resulting bench warrant activity. An active warrant has been issued by King
02 County for violation of probation for failure to complete drug treatment. Defendant reports
03 regular use of methamphetamine, marijuana, and cocaine.

04 2. Defendant admits previous gang membership although the AUSA proffers
05 evidence of active gang membership. The current charges involve allegations that defendant
06 attempted to sell firearms to an undercover agent. His criminal history includes a conviction
07 for similar charges in 2010.

08 3. At the detention hearing, the AUSA offered testimony to show defendant's
09 efforts to elude arrest on several occasions when agents went to his house to arrest him.

10 4. There does not appear to be any condition or combination of conditions that will
11 reasonably assure the defendant's appearance at future Court hearings while addressing the
12 danger to other persons or the community.

13 It is therefore ORDERED:

- 14 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
15 General for confinement in a correction facility separate, to the extent practicable, from
16 persons awaiting or serving sentences or being held in custody pending appeal;
- 17 2. Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;
- 19 3. On order of the United States or on request of an attorney for the Government, the
20 person in charge of the corrections facility in which defendant is confined shall deliver
21 the defendant to a United States Marshal for the purpose of an appearance in connection
22 with a court proceeding; and

4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United State Pretrial Services Officer.

DATED this 16th day of July, 2012.

Maeed Qeedan

Mary Alice Theiler
United States Magistrate Judge